



South Florida Water Management District

GOVERNING BOARD MONTHLY MEETING EXECUTIVE SUMMARY AGENDA

This meeting is open to the public

August 13, 2015

9:00 AM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

FINAL

Pursuant to Section 373.079(7), Florida Statutes, all or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

The Governing Board may take official action at this meeting on any item appearing on this agenda and on any item that is added to this agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of the presiding officer. Public Comment will be taken after each presentation and before any Governing Board action(s) except for Governing Board hearings that involve the issuance of final orders based on recommended Orders received from the Florida Division of Administrative Hearings.

1. Call to Order - Dan O'Keefe, Chairman, Governing Board
2. Pledge of Allegiance - Dan O'Keefe, Chairman, Governing Board
3. Employee Recognitions - Presented by Blake Guillory, Executive Director
 - August Employee of the Month: Ruth Frymerman-Shochat, Industrial Engineering Specialist, Process & Project Controls Section
 - August Team of the Month: Best Management Practice (BMP) on District Lands Team
 - 30-Year Service Award: Calvin Neidrauer, Chief Engineer, Modeling Section
 - 35-Year Service Award: Timothy Ittenbach, Crane Operator, St. Cloud Sub-Station, Field Operations North Bureau
 - Good Samaritan Award: Christopher Graham, Troy Floyd and Luis Vazquez, St. Cloud Sub-Station, Field Operations North Bureau

4. Agenda Revisions - Marcia Kivett, Director, Office of Governing Board & Executive Services
5. Abstentions by Board Members from items on the Agenda
6. Project & Lands Committee Meeting Report - Clarke Harlow, Chair
7. Water Resources Advisory Commission (WRAC) Report - Jim Moran, Chair

Consent Agenda

Members of the public wishing to address the Governing Board are to complete a Public Comment Card and submit the card to the front desk attendant. You will be called by the Board Chair or designee to speak. If you want to request that an item be removed from the Consent Agenda and be discussed by the Governing Board, please advise the Governing Board when you are called upon to speak. Governing Board directives limit comments from the public to 3 minutes unless otherwise determined by the Governing Board Chair. Your comments will be considered by the Governing Board prior to adoption of the Consent Agenda.

*Unless otherwise determined by the Chair, Board action on pulled Consent Agenda items will occur at or after 9:00 a.m. on Thursday. Regulatory items pulled from the Consent Agenda for discussion will be heard during the Discussion Agenda. **Unless otherwise noted, all Consent Agenda items are recommended for approval.***

8. Public Comment on Consent Agenda
9. Pull Items for Discussion from Consent Agenda
10. Board Comment on Consent Agenda
11. Approval of the Minutes for the July 16, 2015, Governing Board Regular Business Meeting, held in West Palm Beach, Florida.
12. Approval of the Minutes for the July 31, 2015 Budget Workshop, held in West Palm Beach
13. Approval of the Minutes for the July 31, 2105, Special Governing Board Meeting, held in West Palm Beach
14. Waivers for Water Resource Advisory Commission (WRAC) members pursuant to Section 112.313, Florida S
15. Regulatory Consent Items
 - Consent Orders
 - **Albert and Shirley Crawford; Ft. Drum Materials (Okeechobee County)** - Settlement of an enforcement action regarding non-compliance with permit conditions for failure to complete the required operation transfer.
 - **Triangle Tomato Company & The City of Port St. Lucie; Triangle Tomato Company 0001 (St. Lucie County)** - Settlement of an enforcement action regarding unpermitted works due to unauthorized

expansion of the water management system.

- Conservation Easements, Amendments and Releases
 - **Palm Beach County Board of County Commissioners, Waterway Park Modification (Palm Beach County)** - Staff recommends the approval of a request for the release of a 0.34 acre portion of an existing 3.30 acre conservation easement for the Palm Beach County Waterway Park project located in Unincorporated Palm Beach County. On September 10, 2012, the District issued Environmental Resource Permit (ERP) No. 50-10097-P (Application No. 100713-5) for construction of a Palm Beach County recreational park located along the Intracoastal Waterway. That ERP authorized wetland impacts, and on-site wetland mitigation and wetland preservation which were placed under a conservation easement to the District. Subsequently, the project site plan has been modified to include wetland impacts within a 0.34 acre portion of the conservation easement. These wetland impacts will be offset at the Palm Beach County Fullerton Island environmental restoration project site, where mitigation credits are currently available in accordance with the Environmental Resource Permit issued by the Florida Department of Environmental Protection.
 - **Charles Rucks and Susan Rucks, Hudson Lake Ranches (Okeechobee County)** - Staff recommends the approval of a settlement agreement among the South Florida Water Management District and Charles E. Rucks and Susan D. Rucks, Trustees, and Charles Rucks and Susan Rucks, individually, in settlement of the portion of Circuit Court Case No. 2009-CA-315, Okeechobee County described in the settlement agreement and authorization for the Executive Director or Designee to execute the agreement.

16. Right of Way Regulatory Consent

Staff recommends approval of a request by the City of Deerfield Beach ("City") (Application Number 15-0226-1) for issuance of Right of Way Occupancy Permit No. 14469 for an existing seawall and the construction of six (6) finger piers, measuring 5 feet wide by 15 feet in length, and 11 boat slips adjacent to the south bank of the Hillsboro canal, and waiver of the District's criteria which limits the maximum number of boat slips allowed along District canals/waterways based upon waterway frontage. The proposed slips are proposed along the existing seawall at the City-owned Sullivan Park located on the south side of the Hillsboro Canal at the Intracoastal Waterway (ICW). Location: Broward County, Section 5, Township 48 South, Range 43 East.

Relaxation of Standards As Allowed Under District Rule 40E-6.011(9) F.A.C.:

Staff recommends approval that the Governing Board waive, for future

Right of Way Occupancy Permit Applications, the requirement contained in District Rules which specifies that an unencumbered 40 foot wide strip of right of way, as measured from the top of bank landward, is needed for the District to perform its routine operations and maintenance activities. The area under consideration in this proposed relaxation is located along the north right of way of the C-4 Canal beginning at S.W. 122nd Avenue and continuing westerly to S.W. 130th Avenue in Miami-Dade County. The southern part of the right of way (the portion of the right of way that is not subject to relaxation) was recently cleared and improved by the District to accommodate the C-4 flood berm project.

17. **Resolution No. 2015 - 0801** Approve release of canal and road reservations, and issuance of non-use commitment. (RE, Kathy Massey, ext. 6835)

Summary:

The District has jurisdiction over certain reserved rights to construct canal and road right of ways, and mineral rights, together with the right of ingress, egress and exploration. Applications requesting releases of these reservations are routinely received from landowners, attorneys, title companies and lending institutions, who consider the reservations to be title defects. Applications are reviewed by appropriate District staff and applicable local governmental agencies to determine that there is no present or future need for the reservations.

Staff Recommendation:

Staff recommends approval of the following:

- Release District canal and road reservations for Double N Ranch Corporation, LLC, a Florida corporation (File No. 18645) for 10.00 acres in Miami-Dade County
 - Release District canal reservations for Jorge Alberto Socarras (File No. 18646) for 5.00 acres in Miami-Dade County
 - Release District canal and road reservations, and issue non-use commitment for City of Pembroke Pines (File Nos. 18649 and NUC 1676) for 3.75 acres in Broward County
 - Release District canal reservations for Tract 29, LLC, a Florida limited liability company, (File No. 18650) for 10.00 acres in Miami-Dade County
 - Release of District canal reservations for Tract 32, LLC, a Florida limited liability company, (File No. 18651) for 10.00 acres in Miami-Dade County
18. **Resolution No. 2015 - 0802** Approving the release and termination of the District's interest in a portion of the C-14/Old Pompano Canal right of way containing 0.18 acre, more or less, Section 1, Township 49 South, Range 42 East, Broward County, subject to certain terms and conditions; rescinding Resolution No. 2012-704 relating to the same subject. (RE, Kathy Massey, ext. 6835)

Summary:

On July 12, 2012, pursuant to Resolution No. 2012-704, the Governing Board approved a request for release of the District's interest in a portion of the C-14/Old Pompano Canal Right of Way containing 0.18 acre, more or less, located in Section

1, Township 49 South, Range 42 East, Broward County, to the applicant, MMJC Realty, Inc., for residential development and a marina.

The applicant received approval subject to conditions that included paying no less than appraised value for the interest, as well as any and all costs and fees associated with the construction, liability and maintenance of a seawall or alternative form of bank stabilization acceptable to the District and all other permitting agencies along or within that portion of the canal right-of-way being released, and the execution of a maintenance agreement accepting responsibility for said seawall/bank stabilization. The requirements were to be completed prior to August 1, 2015.

Although progress has been made, not all of the terms, conditions and requirements have been satisfied; therefore, the applicant has requested that the District extend the time for satisfaction of all of the required terms, conditions and requirements set forth in Resolution No. 2012-704 until August 1, 2016.

Staff Recommendation:

The District is willing to extend the date by which the applicant must satisfy the required terms and conditions, and approves releasing and terminating approximately 0.18 +/- acre, more or less, from the current easement area, located in Section 1, Township 49 South, Range 42 East, Broward County, C-14/Old Pompano Canal Right of Way, to the underlying fee owner, provided all of the terms, conditions, and requirements are satisfied to the satisfaction of the District, in its sole and absolute discretion.

19. **Resolution No. 2015 - 0803** Approve the acquisition of 912.36 acres, more or less, at approved appraised value, in Sections 22, 23, 26, 27, 34, 35, Township 50 South, Range 27 East, and Section 2, Township 51 South, Range 27 East, Collier County, Picayune Strand Restoration Project, Belle Meade Component, and authorize eminent domain proceedings in the event negotiations fail. (RE, Marcy Zehnder, Ext. 6694)

Summary:

The District, as local sponsor for the US Army Corps of Engineers ("Corps"), has agreed to acquire approximately 912.36 acres located within the Belle Meade Component of the Picayune Strand Restoration Project ("Project"), pursuant to the Project Partnership Agreement by and between the District and Corps dated August 3, 2009. A map of the Project boundary and affected Tracts is attached hereto as Exhibit "A".

Pursuant to Chapters 73 and 74, Florida Statutes, the District is required to make bona fide first offers to the owners of the Tracts within the Project that are not conditioned on subsequent approvals. Said Tracts and owners are described in the attached Exhibit "B".

It will be necessary to initiate eminent domain proceedings for those Tracts that cannot be acquired through a negotiated purchase agreement, since the District is required by the terms and conditions of the PPA to acquire the needed Project lands.

Staff Recommendation:

Staff recommends approval of a resolution approving acquisition of 912.36 +/- acres located within the Picayune Strand Restoration Project, Belle Meade Component, at approved appraised value, and authorize eminent domain proceeding in the event negotiations fail.

20. **Resolution No. 2015 - 0804** Approve the purchase of land interests containing 20.0 acres, more or less, in Miami-Dade County, Pennsuco Project, in the amount of \$160,000, plus associated costs, restoration costs and long term land management costs in the cumulative amount of \$40,535.40, for which dedicated funds (Lake Belt Mitigation Fund) have been budgeted; approve a budget transfer from Operations, Maintenance & Construction to Real Estate Division; approve declaring surplus, disposal of, and removal from the asset records any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition. (RE, Marcy Zehnder, ext. 6694)

Summary:

Tract No. W9304-969 comprises a total of 20.0 acres located within the District's Pennsuco Wetlands Project. The purchase price for Tract No. W9304-969 is \$160,000, together with associated costs, restoration costs and land management costs in the cumulative amount of \$40,535.40. The Pennsuco wetlands are approximately 13,000 acres of wetland prairie located adjacent to the east perimeter of Water Conservation Area (WCA) 3B in northwestern Miami-Dade County. The Pennsuco area is bordered to the west and north by Krome Avenue, to the south by Tamiami Trail and the east by the Dade-Broward Levee.

Staff Recommendation:

Staff recommends approval of the acquisition.

21. **Resolution No. 2015 - 0805** Approve declaring surplus land interests within the Caloosahatchee River Basin Water Quality Treatment & Testing Facility located in Sections 35 and 36, Township 42 South, Range 30 East, Glades County, containing 7.05 acres, more or less, for conveyance to Florida Department of Transportation in fee, without reservation of interests provided under Florida Statute 270.11 for consideration of \$415,000, together with a post-closing temporary right of entry. (RE, Ray Palmer, ext. 2246)

Summary:

The Florida Department of Transportation (FDOT) is implementing its State Road 80 Project Item Segment No.: 4082865, which includes road widening and constructing a storm water management pond, adjacent to its existing State Road 80 Right of Way ("Project Activities"), located in Sections 35 and 36, Township 42 South, Range 30 East, in Glades County. The South Florida Water Management District (the "District") owns a 1770 acre parcel originally acquired for a proposed water quality project, abutting FDOT's State Road 80 (See attached map). FDOT has determined that it is necessary to obtain from the District fee title to a portion of the District's property, containing 7.05 acres, more or less, depicted on the attached map as Tracts KC100-023 and KC100-026 for consideration of \$415,000, together with a post-closing temporary right of entry on adjacent District property in connection with Project Activities. FDOT has eminent domain authority in connection with the Project Activities. District staff has reviewed FDOT's request and determined that this property is not required by the District for its purposes and that conveyance of these land interests is in the public interest. District and FDOT staff have agreed to the location, terms and construction plans, including a commitment by FDOT to install an additional median cut which will eventually allow for a second access point to the District's property, as contained in the purchase agreement.

Staff Recommendation:

Approve declaring surplus land interests within the Caloosahatchee River Basin Water Quality Treatment & Testing Facility located in Sections 35 and 36, Township 42 South, Range 30 East, Glades County, containing 7.05 acres, more or less, for conveyance to Florida Department of Transportation in fee, without reservation of interests provided under Florida Statute 270.11 for consideration of \$415,000, together with a post-closing temporary right of entry; providing an effective date.

22. **Resolution No. 2015 - 0806** Authorize entering into a three-year Contract with two (2) one-year renewal options with Toler Enterprises, Inc., the lowest responsive and responsible bidder, for Flat Mowing Services in the Fort Lauderdale Field Station area, in the amount of \$414,018.00 in ad valorem funds subject to Governing Board approval of the FY16, FY17, FY18, FY19 and FY20 budgets. (Contract Number 4600003285) (OMC, Michael Gallagher, ext. 2124)

Summary

A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a three-year contract with two (2) one-year renewal options with Toler Enterprises, Inc., the lowest responsive and responsible bidder for Flat Mowing Services in the Fort Lauderdale Field Station service area, in the amount of \$414,018.00 in ad valorem funds subject to Governing Board approval of FY16, FY17, FY18, FY19, and FY20 budgets; providing an effective date. (Contract Number 4600003285)

Staff Recommendation

Staff recommends authorizing the approval of Contract Number 4600003285, as this item supports continual operations and maintenance of the District canal system. If not mowed and maintained, these areas would become a potential hazard to the public as well as District employees.

23. **Resolution No. 2015 - 0807** Authorize an Amendment to Contract 4600002766 to exercise a two (2) year renewal option with Treasure Coast Lawns, Inc., for flat mowing services within the West Palm Beach Field Station service area, in an amount not to exceed \$1,517,974.12 of which ad valorem funds, in the amount of \$667,974.12, are budgeted, subject to Governing Board approval for both the FY16 and FY17 budgets. (Contract Number 4600002766-A05) (OMC, Joel Arrieta, ext. 2867)

Summary

Staff is seeking approval to authorize an Amendment to Contract 4600002766 to exercise a two (2) year renewal option with Treasure Coast Lawns, Inc., for flat mowing services within the West Palm Beach Field Station service area, in an amount not to exceed \$1,517,974.12 of which ad valorem funds, in the amount of \$667,974.12, are budgeted, subject to Governing Board approval for both the FY16 and FY17 budgets.

Staff Recommendation

Staff recommends authorizing the approval of Amendment 05 to Contract Number 4600002766 as this item supports continual operations and maintenance of District canal system. If not mowed and maintained, these areas will become a potential hazard to the public as well as District employees.

24. **Resolution No. 2015 - 0808** Authorize entering into a 365 day contract with two one-year renewal options with SSI Lubricant, LLC, Palmdale Oil Company, Inc., and BV Oil Company, Inc. for delivery of No. 2, Ultra Low Sulfur, Red Dye (Off Road) diesel fuel to 45 District locations in an amount not to exceed \$6,000,000.00 which is subject to Governing Board approval of the FY16 budget. (RFB number 6000000705) (OMC, Phillip White, ext. 2182)

Summary

The purchasing of No. 2, Ultra Low Sulfur, Red Dye (Off-Road) Diesel fuel is necessary to operate the District pump stations and structures. This type of Diesel fuel will provide significant financial savings to the District since it is lower priced than regular Diesel.

Staff Recommendation

Board approval is requested at the August Governing Board meeting to initiate the offering of bids to these three bidders: Palmdale Oil Company, Inc., B.V. Oil Company, Inc., and SSI Lubricants, LLC.

25. **Resolution No. 2015 - 0809** A Resolution of the Governing Board of the South Florida Water Management District authorizing a 55 month cooperative agreement with the Florida Fish and Wildlife Conservation Commission, Fish and Wildlife Research Institute for the purpose of supporting the Comprehensive Everglades Restoration Plan through implementation of the South Florida Fish Habitat Assessment Program in the amount of \$979,991 of which the SFWMD's total contribution is \$657,000, for which \$4,000 in FY15 and \$95,000 in FY16 ad valorem funds are budgeted, and the remainder is subject to Governing Board approval of the FY17 through FY20 Budgets. (Contract Number 4600003292) (WR, Terrie Bates x6952)

Summary

One of the main goals of the Comprehensive Everglades Restoration Program (CERP) for Florida Bay is to improve vital fisheries habitat, by increasing the species diversity and aerial extent of seagrass communities. This proposed cooperative agreement with the Florida Fish and Wildlife Conservation Commission (FFWCC) is to continue seagrass and macroalgae monitoring within Florida Bay and the lower southwest coast. Data from this agreement will be used to assess estuarine changes and conditions associated with the C-111 Spreader Canal Western Project, Modified Water Deliveries, S-356 Pump Test, South Dade Conveyance System operations and Florida Bay Minimum Flows and Levels. The monitoring program is specified in the RECOVER Monitoring and Assessment Plan (MAP) as Component 3.2.3.3 and is also a component of the C-111 Spreader Canal Western Project Implementation Report monitoring plan. In a programmatic evaluation and reduction of RECOVER monitoring in 2012 this project was reduced in scope, it has been further reduced this year by discontinuing two additional monitoring stations. The proposed cooperative agreement is for a term of 55 months at a total cost of \$979,991; with the FFWCC providing an in-kind cost share of \$322,991 and SFWMD providing \$657,000, of which ad valorem funds in the amount of \$4,000 are budgeted in FY15 and \$95,000 are in the draft budget in FY16. The remainder is subject to Governing Board Approval of the FY17-FY20 budgets.

Staff Recommendation

Staff recommends approval of this cooperative agreement.

26. **Resolution No. 2015 - 0810** Authorizing entering into a Pre-Partnership Credit Agreement No. 2 with the U.S. Department of the Army, at no cost, for the purpose of establishing eligibility to receive future credit for the costs of installing an electrical power supply for the Biscayne Bay Coastal Wetlands Phase 1 Project, a component of the Comprehensive Everglades Restoration Plan. (Contract Number 4600003288) (EPC, Tom Teets, ext 6993)

Summary

SFWMD intends to contract with Florida Power and Light (FP&L) to install a three-phase power supply for the L-31 East Flow-way component of the Biscayne Bay Coastal Wetland Phase 1 Project, which was authorized by Congress in 2014 as a federal project under the Comprehensive Everglades Restoration Plan (CERP). The power supply is needed to provide electricity for several pump stations and associated equipment to be constructed by the U.S. Army Corps of Engineers (USACE) under the Biscayne Bay Coastal Wetlands Phase 1 Project. In order to maintain eligibility to receive future credit for the costs of performing this construction prior to signing a Project Partnership Agreement (PPA) with the USACE, SFWMD must enter into a Pre-Partnership Credit Agreement prior to FP&L initiating construction.

Staff Recommendation

Staff recommends approval of the Pre-Partnership Credit Agreement No. 2 for the power supply needed to provide electricity to several pump stations and associated equipment in the Biscayne Bay Coastal Wetland Phase 1 Project.

27. Enter a Final Order modifying Order No.: 2015-034-DAO-WU changing the start/stop time in the operational protocol governing Florida Power & Light's withdrawals of surface water from the L-31E Canal. (REG, Sharon Trost, ext. 6814)

Summary

On May 14, 2015, Florida Power and Light requested the District issue an Emergency Order for temporary authorization to use and withdraw water from the L-31E Canal System to help reduce high temperatures and salinity that are occurring in the Turkey Point Cooling Canal System (CCS). On May 19, 2015, the District's Executive Director issued SFWMD Order No. 2015-034-DAO-WU, an "Emergency Final Order authorizing Florida Power and Light to withdraw water along and from the L31E Canal System; Miami-Dade County, Florida." On June 11, 2015, the Governing Board issued a Final Order concurring with the Executive Director's Emergency Final Order. The Emergency Final Order includes specific conditions for the daily determination of water availability, pump operations, monitoring and reporting to ensure that only water over and above the amounts reserved for Nearshore Central Biscayne Bay are withdrawn. The current operational protocol begins calculating the daily volume of water discharged to the Nearshore Central Biscayne Bay at midnight. The operational protocol also requires FPL to start each day with its pumps off and any pumping that is conducted that day must cease by 11:59 p.m.

In order to minimize difficulties in coordination between FPL personnel and SFWMD staff, FPL is requesting that the time calculations begin at noon each day and end at 11:59 a.m. the following day. The requirement that FPL may

not withdraw water until the volume of water reserved for the Nearshore Biscayne Bay is met will continue. As of August 6, 2015, FPL has only withdrawn water from the L-31E once, for a total of 9.35 million gallons.

Staff Recommendation

Staff recommends the Governing Board enter a Final Order modifying Order No.: 2015-034-DAO-WU authorizing a change in the start/stop times FPL's pumps to withdraw surface water along and from the L-31E Canal System; Miami-Dade County, Florida.

28. Authorize publication of a Notice of Proposed Rule in the Florida Administrative Register, and request review from the Office of Fiscal Accountability and Regulatory Reform, to amend Rules 40E-41.221, 40E-41.233, and 40E-41.263, F.A.C., and incorporate updated Figures 41-5 through 41-8 to reflect revised Basin boundaries, 10-year, 3-day design discharge rates, and 100-year, 3-day design stages; consolidate Figure 41-9 with Figure 41-8; change the allowable discharge in Rule 40E-41.263(1)(b), F.A.C. from 27 "cfs" to 27 "CSM" to be consistent with Appendix A of the "Environmental Resource Permit Applicant's Handbook Volume II: For Use Within the Geographic Limits of the South Florida Water Management District"; and eliminate the requirement for non-commercial/industrial projects located within the western C-51 Basin to provide one-half inch of dry retention/detention pretreatment. (REG, Anthony Waterhouse, ext. 6867)

Summary

The District is proposing to publish proposed amendments to the C-51 Basin rules contained in Chapter 40E-41, F.A.C., to reflect changes in the Basin's condition since the rule was originally implemented in 1987. These changes include an update to the extent of the Basin boundaries and the topographic information within the Basin, the installation and operation of water control facilities associated with the C-51 West project (STA-1E, the S-319 pump station, the S-155A "Divide" Structure, and the S-155 structure), and the resulting changes in the allowable 10-year, 3-day peak discharge rates and the minimum 100-year, 3-day finished floor elevations.

Staff Recommendation

Authorize publication of a Notice of Proposed Rule in the Florida Administrative Register, and request review from the Office of Fiscal Accountability and Regulatory Reform, to amend Rules 40E-41.221, 40E-41.233, and 40E-41.263, F.A.C., and incorporate updated Figures 41-5 through 41-8 to reflect revised Basin boundaries, 10-year, 3-day design discharge rates, and 100-year, 3-day design stages; consolidate Figure 41-9 with Figure 41-8; change the allowable discharge in Rule 40E-41.263(1)(b), F.A.C. from 27 "cfs" to 27 "CSM" to be consistent with Appendix A of the "Environmental Resource Permit Applicant's Handbook Volume II: For Use Within the Geographic Limits of the South Florida Water Management District"; and eliminate the requirement for non-commercial/industrial projects located within the western C-51 Basin to provide one-half inch of dry retention/detention pre-treatment.

29. **Resolution No. 2015 - 0811** A Resolution of the Governing Board of the South Florida Water Management District approving the First Amended and Restated Indian River Lagoon National Estuary Program Interlocal Agreement with other agency/governmental partners for the expanded Indian River Lagoon National Estuary Program; providing an effective date. (EO, Dan DeLisi, ext. 6232)

Summary

The original Indian River Lagoon National Estuary Program Interlocal Agreement, dated February 19, 2015, was approved by the Governing Board and became effective on February 24, 2015, and included seven governmental entities: (1) Volusia County, a Florida political subdivision; (2) Brevard County, a Florida political subdivision; (3) St. Lucie County, a Florida political subdivision; (4) Martin County, a Florida political subdivision; (5) Florida Department of Environmental Protection; (6) St. Johns River Water Management District; and (7) South Florida Water Management District.

In order to provide for the participation of the Indian River County area in the activities contemplated under the Interlocal Agreement, the Indian River County Lagoon Coalition was recently formed and consists of the following governmental entities: (1) City of Sebastian, Florida, a Florida municipal corporation; (2) City of Fellsmere, Florida, a Florida municipal corporation; (3) Indian River Shores, Florida, a Florida municipal corporation; and (4) City of Vero Beach, Florida, a Florida municipal corporation; all being located within Indian River County, Florida.

The First Amended and Restated Indian River Lagoon National Estuary Program Interlocal Agreement adds the Indian River County Lagoon Coalition as a party to the Interlocal Agreement and commits annual funding from the Indian River County Lagoon Coalition in the amount of \$50,000, which is the same amount required of the Counties that are parties to the Interlocal Agreement. The District's obligations do not change under the Amended Interlocal Agreement.

Staff Recommendation

Staff recommends approval of this item as the project leverages state dollars with federal and local cost-share funds to implement water resource projects/programs that directly benefit the Indian River Lagoon.

30. Board Vote on Consent Agenda
31. General Public Comment
32. Board Comment

Discussion Agenda

33. General Public Comment
34. Technical Reports
- A) Water Conditions Report - Jeff Kivett, Division Director, Operations, Engineering & Construction (ext. 2680)

B) Ecological Conditions Report - Terrie Bates, Division Director, Water Resources (ext. 6952)

35. Everglades Agricultural Area and C-139 Basins Source Control Program Annual Update - Pam Wade, Bureau Chief, Everglades Regulation Bureau (ext. 6901)

Summary

The purpose of this presentation is to provide an annual update on the Regulatory Source Control Program for the Southern Everglades. The Everglades Forever Act (EFA, 373.4595, Florida Statutes) directs the District to implement an on-going nonpoint source control program using best management practices (BMPs) in the Everglades Agricultural Area and C-139 Basins. These basins are primarily agricultural areas ultimately discharging to the Everglades. The EFA requires a monitoring network to assess the effectiveness of the BMP program in reducing phosphorus loads in permittee discharges based on a specified quantitative performance measure. For Water Year 2015, the EAA Basin continues to perform beyond expectations. They achieved a 79% phosphorus load reduction compared to the historic pre-BMP base period, exceeding its 25% load reduction requirement. Their long-term average phosphorus load reduction is 56%. The C-139 Basin also complied with the required phosphorus levels based on methods established in rules adopted under Chapter 40E-63, Florida Administrative Code.

Staff Recommendation

This item is for information only; no action is required.

36. Impact of Sea Level Rise on District Operations - Jeff Kivett, P.E., Director, Operations, Engineering and Construction Division, SFWMD

Past and future sea level rise has the potential to impact regional-scale water management affecting all aspects of District's mission. This presentation will provide a brief review of the topic of sea level rise, historical data, current projections and potential implications of sea level rise on water supply, flood protection, and environmental restoration projects in coastal areas. District initiatives to address impacts of sea level rise and the ongoing efforts to collaborate and cooperate with local, state, and federal governments will also be discussed.

37. **Resolution No. 2015 - 0812** Authorize entering into a 600 day contract with Blue Goose Construction, LLC., the lowest responsive and responsible bidder, for the C43 West Storage Basin Reservoir Preloading and Demolition Project, in the amount of \$10,817,748.00 of which \$200,000 in dedicated funds (Save Our Everglades Trust Fund) and ad valorem funds are budgeted in FY15; and the remainder is subject to Governing Board approval of the FY16 budget. (Contract No. 4600003290) (OEC, John P. Mitnik, P.E., ext. 2679)

Summary

The Caloosahatchee River C-43 West Basin Storage Reservoir project was authorized in the Water Resources and Reform Development Act (WRRDA) 2014 facilitating the ability of the state to move forward with early start construction of the authorized project.

The Preloading and Demolition project will begin the first phase of work for the Reservoir to preload water control structure locations within the future dam to consolidate the foundation. The work will also include demolition of agricultural production facilities within the 10,000 acre property including irrigation risers, culverts, irrigation pump stations, and miscellaneous buildings. Funding is being provided through the Save Our Everglades Trust Fund. The construction contract duration is 600 days. Due to the lead time required to consolidate the structures foundation, starting this work early will minimize the time required to complete construction of the reservoir.

Staff Recommendation

Board approval is requested to initiate construction of the C43 Preloading and Demolition Project. Not implementing this contract will extend the time to complete the reservoir and obtain the benefits of improving timing, quantity and quality of freshwater flows to the estuary.

38. **Resolution No. 2015 - 0813** Authorize entering into a 425 day contract with Great Lakes Dredge and Dock Company, LLC, the lowest responsive and responsible bidder, for the RS-G341 Conveyance Improvements, Phase I: Bolles East (L-16) Canal Conveyance Improvement Project – Segment 1, in the amount of \$3,775,008.00 of which \$1,500,000 in dedicated funds (Save Our Everglades Trust Fund) and ad valorem funds are budgeted in FY15; and the remainder is subject to Governing Board approval of the FY16 budget. (Contract No. 4600003291) (OEC, John P. Mitnik, P.E., ext. 2679)

Summary

The Bolles East Canal provides a link between the Hillsboro and the North New River Canals. It currently serves adjacent agricultural landowners by supplying them with irrigation water and drainage. This canal has limited hydraulic capacity due to its shallowness as well as constrictions at existing bridges and the Duda Road culvert crossing near the midpoint of the canal. The objective of the Project is to improve the conveyance abilities of the Bolles East Canal. The new cross section will have a bottom width of 40 feet and an invert of El. -2.0. Segment 1 begins just east of the Duda Road Bridge and continues for approximately 1.2 miles east along the Bolles Canal. These improvements in the capacity of the Bolles Canal will help reduce flooding in the adjacent farmlands while improving water supply to the Stormwater Treatment Areas (STAs) and farmlands in the region. These improvements will also allow the District to move water east and west within the EAA for treatment by (STA) within different areas of the basin.

Staff Recommendation

Governing Board approval to construct the RS-G341 Conveyance Improvements, Phase I: Bolles East (L-16) Canal Conveyance Improvement Project - Segment 1 is requested at the August 13, 2015 Governing Board meeting. Not implementing RS-G341 Conveyance Improvements, Phase I Bolles East (L-16) Canal Conveyance Improvement Project -Segment 1 would result in continued limitation of the District's ability to move water within Drainage Basins.

39. **Resolution No. 2015 - 0814** Authorize entering into a Locally Funded Agreement, Contract Number 4600003263, with the Florida Department of Transportation, for the G-58 Gate Replacement and Refurbishment Project, in the amount of \$2,266,705.24, for which ad valorem funds are budgeted in FY15; providing an effective date. (Contract Number 4600003263) (OEC, John P. Mitnik, P.E., ext. 2679)

Summary

G-58 is located in the City of North Miami, along Arch Creek on NE 135th Street in Miami Dade County. The structure maintains optimum upstream water control stages in Arch Creek and prevents saline intrusion from high stages in downstream Biscayne Bay. The Florida Department of Transportation (FDOT) owns the culverts located under NE 135th Street and downstream flap gates. The District owns the headwall, gates and control building. During the District's Structure Inspection Program, G-58 was identified as having major deficiencies including heavy corrosion, inoperable gates, corroded culverts, bent guide rails, missing flap gates, excessive control building wall cracking and a roof in poor condition. In response, the District and the Florida Department of Transportation (FDOT) created the G-58 Gate Replacement and Refurbishment project. FDOT scope includes slip lining culverts with an HDPE liner and replacing flap gates. District scope includes replacing the headwall, gates and the control building.

Staff Recommendation

Governing Board approval is requested at the August Governing Board meeting. Not implementing the G-58 Gate Replacement and Refurbishment Project would result in continuing operation of a water control structure that is severely deficient and could potentially impact flood control operations and saline intrusion.

40. **Resolution No. 2015 - 0815** Approve declaring surplus land interests containing 19.62 acres, more or less, in Martin County without reservation of interests under Section 270.11, Florida Statutes, together with any structures and improvements and personal property appurtenant thereto and approve offering said property to the public for bid to be sold for the highest price obtainable but not less than the appraised value. (RE, Ben Ward, ext. 6314)

Summary:

Pursuant to Resolution 2013-0710, the Governing Board directed staff to further analyze the options for disposal of certain lands and to thereafter propose recommendations to the Governing Board for further approval. Tract FF100-007 containing 19.62 acres, more or less, located in Martin County (the "Tract"), as shown on the attached Exhibit "A", was included in the Resolution. Staff further analyzed the options for disposal of the Tract, obtained an ecological assessment, and conducted a public meeting on May 28, 2015 regarding the surplus and sale of the Tract. The ecological assessment did not identify any matters of concern. An appraisal establishing an appraised value of \$1,650,000 for the Tract was also obtained. Prior to offering the Tract for bid, an update of the appraisal will be completed. In the event the updated appraisal reduces the appraised value of the Tract below the \$1,650,000 appraised value, then the Tract will not be offered for bid and will be brought back to the Governing Board for further direction. Staff recommends to the Governing Board that the Tract be declared surplus and be offered to the public for bid to be sold for the highest price obtainable, but in no event less than appraised values as updated.

Staff Recommendation:

Staff recommends approval of the surplus and public bid for sale of the Tract.

41. Approval of Inspector General's Audit Reports - Tim Beirnes, Inspector General (ext. 6398)

Summary

The following audit reports are completed

- Enterprise Network Perimeter Security Audit
- Audit of Fleet Utilization

Staff Recommendation

Inspector General recommends approval of the audit report.

Staff Reports

42. Monthly Financial Report

Monthly Financial Report - Doug Bergstrom, Division Director, Administrative Services Division

43. General Counsel's Report

44. Executive Director's Report - Blake Guillory

45. Board Comment

Attorney Client Sessions

46. Attorney Client Session - USA

47. Adjourn